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Serial No. 10/824,497

Attorney Docket No. 01-617

REMARKS

Claims 1-8 are pending. Claim 8 is new. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

This amendment is to add new claim 8 and to add an additional arguments against the combination of Tanimoto et al. and Tischler, which was applied to reject the claims.

Claims 1-3 and 5-7 were rejected under 35 USC 103(a) as being unpatentable over Tanimoto et al. in view of Tischler. In addition to the arguments supplied in the previous amendment, this rejection should be withdrawn for the following reasons.

The office action asserts that it would have been obvious to have modified the method of Tanimoto et al. by removing the metal film formed on the insulating film with an etching liquid for dissolving the metal as taught by Tishcler to create a contact. However, it is impossible to selectively etch a Ni film and a Ni silicide film without a special etching liquid. This conclusion is disclosed in pg. 148 of book entitled JAPAN TECHNOLOGY TRANSFER ASSOCIATION published on March 1987. It was also confirmed by the inventors in experiments that a Ni silicide film formed by the heat treatment of Si and Ni dissolved in acid. Therefore, those skilled in the art would not consider it practical to etch the silicide film alloy of Si and Ni. Further, it would not be possible to selectively remove only the metal film over the insulation layer as shown in Fig. 5A of the present application based on the teachings of the cited references.

In comparison, the inventors determined that a compound, or alloy, formed by heat treatment of SiC and Ni does not dissolve in acid. The present invention was achieved based upon this determination. Therefore, because of the superior results achieved by this alloy of SiC

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and Ni, it would not have been obvious to one of ordinary skill in the art to have substituted SiC for Silicon in the silicide disclosed in Tischler.

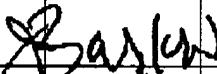
Claim 4 was rejected under 35 USC 103(a) as being unpatentable over Tanimoto et al. in view of Tischler and further in view of Zenke. Claim 4 depends on claim 1 and is considered to be patentable for the reasons given above and in the previous amendment for the patentability of claim 1. Thus, this rejection should be withdrawn.

Claim 8 is new. Claim 8 depends on claim 1 and is therefore considered to be patentable for the reasons given for the patentability of claim 1 in this amendment and the previous amendment.

In view of the foregoing, the applicants respectfully submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,



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